

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-CV-30147-KPN

MESTEK, INC.

Plaintiff

v.

MACSTEEL SERVICE CENTERS USA, INC. and  
BSC PROPERTIES, INC.,

Defendants

**WAIVER OF SERVICE  
OF SUMMONS**

To: Kevin C. Maynard, Esq.  
Bulkley, Richardson and Gelinas, LLP  
1500 Main Street, Suite 2700  
Springfield, MA 01115

I represent Macsteel Service Centers USA, Inc. I acknowledge receipt of your request that I waive service of a summons in the captioned action, which is case number 04-30147 in the United States District Court for the Division of Massachusetts. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

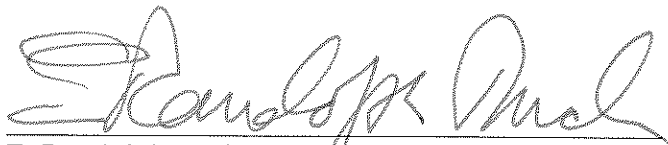
I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or the venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after (date request was sent), or within 90 days after that date if the request was sent outside the United States.

September 16, 2004

Date



E. Randolph Tucker, Esq.  
Piper Rudnick LLP  
One International Place, 21<sup>st</sup> Floor  
Boston, MA 02110